UNITED STATES PATENT AND TRADEMARK OFFICE

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TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER
CHOI, MICHAEL P

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-15,35-40,55 and 56* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-15,35-40,55 and 56* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____ .

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible

for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has

been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37

CFR 1.114. Applicant's submission filed on 5/4/09 has been entered.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a
> whole would have been obvious at the time the invention was made to a person having
> ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

3.   Claims 1, 2, 4-8, 9-13, 15, 35, 36, 38-40 and 55 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Tsumagari et al. (US 6,360,057 B1) in view of Stonedahl (US

2002/0199198 A1).

Regarding Claim 1, Tsumagari et al. teaches a method for providing access to an

information stream comprising:

- receiving information representative of a plurality of event markers (Figs. 23, 24, 25, 27 – entry points), each event marker being associated with a plurality of time indices that are points in time in the information stream (in at least Figs. 14, 25, 27);

- for each event marker, producing representative images of segments of the information stream associated with respective time indices of said each event marker (in at least Figs. 35, 39 - having title and thumbnail reproduced), wherein when a first event marker is associated with a first time index and a second time index, then a first representative image of a first segment of the information stream that includes the first time index is produced and a second representative image of a second segment of the information stream that includes the second time index is produced (in at least Figs. 35-37, 39 – production of selection; Col. 31, lines 41-59),

- forming groups of segments, each group comprising those segments of the information stream having a time index associated with the same event marker (in at least Figs. 35-37, 39 – segments according to entry points); and

- for each group of segments:
    - printing on a printable medium a representative image for each segment comprising each group; and
    - printing on the printable medium a barcode image for said each segment the barcode image being associated with the time index of said each segment,

- wherein representative images are arranged according to an arrangement format (in at least Figs. 35, 39 - having title and thumbnail reproduced).

Stonedahl teaches wherein the user action is scanning of a barcode, wherein the marker is representative of the barcode that is scanned, wherein scanning the barcode more than once

produces one or more time indices associated with the barcode (Paragraphs [0038,0040] –

selection based on barcode scanning by a number of selections based on time).

A person of ordinary skill in the art would have had good reason to pursue the known

options of giving the user control over selecting through usage of a scanning a barcode. It would

require no more than "ordinary skill and common sense," to give the user control over digitally

and physically pointing and selecting to preferred portions of events to designate as desired

portions.

Regarding Claim 2, Tsumagari et al. teaches the method of claim 1 wherein the

arrangement format is determined automatically, absent user-provided arrangement information

(Fig. 32, entry point by recorder; Col. 28, line 53 - Col. 29, line 34).

Regarding Claim 4, Tsumagari et al. teaches the method of claim 1 wherein each event

marker is information produced by a user action (Fig. 32 – entry point by user; Col. 28, line 53 -

Col. 29, line 34) and each associated time index is the time of occurrence of the user action

(Figs. 14-16, 23 – time of entries; Fig. 27 – entry points per recorded time in various programs).

Regarding Claim 5, Tsumagari et al. teaches the method of claim 4 but fails to explicitly

teach wherein the user action is scanning of a barcode, wherein the marker is representative of

the barcode that is scanned, wherein scanning the barcode more than once produces one or

more time indices associated with the barcode. Stonedahl teaches wherein the user action is

scanning of a barcode, wherein the marker is representative of the barcode that is scanned,

wherein scanning the barcode more than once produces one or more time indices associated

with the barcode (Paragraphs [0038,0040] – selection based on barcode scanning by a number of selections based on time).

A person of ordinary skill in the art would have had good reason to pursue the known options of giving the user control over selecting through usage of a scanning a barcode. It would require no more than "ordinary skill and common sense," to give the user control over digitally and physically pointing and selecting to preferred portions of events to designate as desired portions.

Regarding Claim 6, Tsumagari et al. teaches the method of claim 4 but fails to explicitly teach wherein the user action is speaking a phrase, wherein the event marker is representative of a digital representation of the phrase, wherein speaking the phrase more than once produces one or more time indices associated with the digital representation of the phrase. Stonedahl teaches wherein the user action is speaking a phrase, wherein the event marker is representative of a digital representation of the phrase, wherein speaking the phrase more than once produces one or more time indices associated with the digital representation of the phrase (Paragraphs [0038,0040] – selection based by sounds of participant by a number of selections based on time).

A person of ordinary skill in the art would have had good reason to pursue the known options of giving the user control over selecting through speaking. It would require no more than "ordinary skill and common sense," to give the user control over digitally and physically (by nature of tonal) pointing and selecting to preferred portions of events to designate as desired portions.

Regarding Claim 7, Tsumagari et al. teaches the method of claim 4 but fails to explicitly teach wherein the user action is a selecting a visual element with an input device, wherein the event marker is representative of the visual element, wherein selecting the visual element more than once produces one or more time indices associated with the visual element. Stonedahl teaches wherein the user action is a selecting a visual element with an input device, wherein the event marker is representative of the visual element, wherein selecting the visual element more than once produces one or more time indices associated with the visual element (Paragraphs [0038,0040,0043] – selection based on barcode scanning by a number of selections based on time).

A person of ordinary skill in the art would have had good reason to pursue the known options of giving the user control over selecting through usage of a scanning a barcode. It would require no more than "ordinary skill and common sense," to give the user control over digitally and physically (by means of visual cues) pointing and selecting to preferred portions of events to designate as desired portions.

Regarding Claim 8, Tsumagari et al. teaches the method of claim 1 wherein each event marker is further associated with a recording device (in at least Figs. 26, 29 – wherein all entry points are associated with device), wherein the method is applied only to those event markers that are associated with the same recording device (in at least Figs. 26, 29 – wherein all entry points are associated with device).

Regarding Claim 9, Tsumagari et al. teaches the method of claim 1 wherein a segment of the information stream spans a period of time relative to its time index (Figs. 14-16, 23 – period of time of entries).

Regarding Claim 10, Tsumagari et al. teaches the method of claim 1 further comprising

recording the information stream (in at least Col. 1, lines 16-26), wherein the event markers and

the time indices are recorded at the time of recording of the information stream (Figs. 14, 23-25,

27 – entry points within recorded time as listed and indexed).

Regarding Claim 11, Tsumagari et al. teaches the method of claim 1 wherein the

information stream is a previous recording, the method further comprising recording the

timestamps during playback of the information stream (Figs. 36, 37, 46, and 47).

Regarding Claim 12, Tsumagari et al. teaches the method of claim 1 wherein the

information stream comprises one of continuous information and discrete information (in at least

Figs. 2, 3 – wherein VOB, cells, VOBU's, etc have finite playback time).

Regarding Claim 15, Tsumagari et al. teaches a method for providing access to an

information stream comprising:

- receiving information representative of a plurality of event markers (Figs. 23, 24, 25, 27 –

  entry points), each event marker associated with a plurality of time indices that are

  points in time in the information stream (in at least Figs. 14, 25, 27);

- producing representative images of segments of the information stream associated with

  respective time indices of the event markers (in at least Figs. 35, 39 - having title and

  thumbnail reproduced),

- forming groups of segments (in at least Figs. 35-37, 39 – segments according to entry

  points), each group comprising those segments of the information stream associated

with the same event marker (Figs. 23, 27 - entry point for programming movie with

multiple key frames in packet thereby multiple time stamps within entry point; Col. 10,

lines 15-22);

- receiving a source image comprising an image and annotative information for each

    event marker (in at least Figs. 35, 39 - having title and thumbnail reproduced); and

- for each event marker

    o   printing on a printable medium the image and annotative information of said each

        event marker;

    o   printing on the printable medium the representative images; and

    o   printing on the printable medium a barcode image corresponding to said each

        segment, the barcode image being associated with the time index of said each

        segment (in at least Figs. 35, 39 - having title and thumbnail reproduced).

Stonedahl teaches wherein the user action is scanning of a barcode, wherein the marker

is representative of the barcode that is scanned, wherein scanning the barcode more than once

produces one or more time indices associated with the barcode (Paragraphs [0038,0040] –

selection based on barcode scanning by a number of selections based on time).

A person of ordinary skill in the art would have had good reason to pursue the known

options of giving the user control over selecting through usage of a scanning a barcode. It would

require no more than "ordinary skill and common sense," to give the user control over digitally

and physically pointing and selecting to preferred portions of events to designate as desired

portions.

Regarding Claim 35, Tsumagari et al. teaches a processor for providing access to an information stream comprising a data processing component operable to perform the method steps of:

- receiving at least a first information stream (Figs. 1-3 – video stream of disc);

- receiving a plurality of event markers (Figs. 23, 24, 25, 27 – entry points), the first event markers having timing information associated therewith (in at least Figs. 14, 25, 27);

- associating the first information stream with the event markers, including identifying a plurality of points in time in the first information stream based on the timing information ((Figs. 23, 24, 25, 27) associated with the event markers and associating the plurality of points in time in the first information stream with the first event markers (Figs. 23, 27 - entry point for programming movie with multiple key frames in packet thereby multiple time stamps within entry point; Col. 10, lines 15-22);

- for each event marker, grouping together the points in time in the first information stream that are associated with said each event marker to produce groups of media segments (in at least Figs. 35-37, 39 – segments according to entry points); and

- printingon a printable medium the event marker and respective associated groups of media segments (Fig. 38 – playback according to selection), including for each marker:

    o printing on the printable medium a representation of said each event marker (in at least Figs. 35, 39 - having title and thumbnail reproduced); and

    o for each point in time in the group of media segments associated with said each event marker, printing on the printable medium a representative image of a portion of the first information stream associated with said each point in time (in at least Figs. 35, 39 - having title and thumbnail reproduced), and printing a barcode image corresponding to the portion of the first information stream

associated with said each point in time (in at least Figs. 35, 39 - having title and

thumbnail reproduced).

Stonedahl teaches wherein the user action is scanning of a barcode, wherein the marker

is representative of the barcode that is scanned, wherein scanning the barcode more than once

produces one or more time indices associated with the barcode (Paragraphs [0038,0040] –

selection based on barcode scanning by a number of selections based on time).

A person of ordinary skill in the art would have had good reason to pursue the known

options of giving the user control over selecting through usage of a scanning a barcode. It would

require no more than "ordinary skill and common sense," to give the user control over digitally

and physically pointing and selecting to preferred portions of events to designate as desired

portions.

Regarding Claim 36, Tsumagari et al. teaches the processor of claim 35 wherein the

event markers further have device information associated therewith (Fig. 27 – creation of

various playlists with entry points), the device information being indicative of the device which

produced the first information stream (in at least Figs. 26, 29 – wherein all entry points are

associated with device), wherein the step of grouping is performed on those the event markers

that are associated with the same device information (in at least Figs. 26, 29 – wherein all entry

points are associated with device).

Regarding Claim 38, Tsumagari et al. teaches the processor of claim 35 but fails to

explicitly teach wherein the event markers are representative of scanned barcodes. Stonedahl

teaches wherein the event markers are representative of scanned barcodes (Paragraphs

[0038,0040,0043] – selection based on barcode scanning by a number of selections based on time).

A person of ordinary skill in the art would have had good reason to pursue the known options of giving the user control over selecting through usage of a scanning a barcode. It would require no more than "ordinary skill and common sense," to give the user control over digitally and physically pointing and selecting to preferred portions of events to designate as desired portions.

Regarding Claim 39, Tsumagari et al. teaches the processor of claim 35 but fails to explicitly teach wherein the event markers are representative of selected graphics. Stonedahl teaches wherein the event markers are representative of selected graphics (Paragraphs [0038,0040,0043] – selection visually based by graphic barcode scanning by a number of selections based on time).

A person of ordinary skill in the art would have had good reason to pursue the known options of giving the user control over selecting through usage of a scanning a barcode. It would require no more than "ordinary skill and common sense," to give the user control over digitally and physically (by means of visual cues) pointing and selecting to preferred portions of events to designate as desired portions.

Regarding Claim 40, Tsumagari et al. teaches the processor of claim 35 but fails to explicitly teach wherein the event markers are representative of spoken phrases. Stonedahl teaches wherein the event markers are representative of spoken phrases (Paragraphs

[0038,0040] – selection based by sounds of participant by a number of selections based on time).

A person of ordinary skill in the art would have had good reason to pursue the known options of giving the user control over selecting through speaking. It would require no more than "ordinary skill and common sense," to give the user control over digitally and physically (by nature of tonal) pointing and selecting to preferred portions of events to designate as desired portions.

Regarding Claim 55, Tsumagari et al. teaches the method of claim 15 wherein the presenting includes forming a display on a display device (Fig. 35).

4.   Claims 3, 14, 37 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsumagari et al. (US 6,360,057 B1) in view of Koyama et al. (US 6,424,385 B1).

Regarding Claim 3, Tsumagari et al. teaches the method of claim 1 but fails to explicitly teach wherein each of the event markers is uniquely represented on a sheet, wherein the arrangement format is determined according to an arrangement of the event markers on the sheet. Koyama teaches wherein each of the event markers is uniquely represented on a sheet, wherein the arrangement format is determined according to an arrangement of the event markers on the sheet (Col. 7, lines 42-28 – printer printing image per one image on paper wherein only one time stamp applies).

A person of ordinary skill in the art would have had good reason to pursue the known options of allowing a physical copy of an image representative of an event to be printed onto a physical medium such as paper. It would require no more than "ordinary skill and common sense," to have selected portions of events distributed as images and printed onto a sheet.

Regarding Claim 14, Tsumagari et al. teaches the method of claim 1 but fails to explicitly teach wherein the step of presenting includes producing images on a printable medium. Koyama teaches wherein the step of presenting includes producing images on a printable medium (Col. 7, lines 42-28 – printer printing image per one image on paper).

A person of ordinary skill in the art would have had good reason to pursue the known options of allowing a physical copy of an image representative of an event to be printed onto a physical medium such as paper. It would require no more than "ordinary skill and common sense," to have selected portions of events distributed as images and printed onto a sheet.

Regarding Claim 37, Tsumagari et al. teaches the processor of claim 35 but fails to explicitly teach wherein presenting the groups of media segments comprises, for each group of media segments, producing an image representative of each media segment and forming the image on a printable medium. Koyama teaches wherein presenting the groups of media segments comprises, for each group of media segments, producing an image representative of each media segment and forming the image on a printable medium (Col. 7, lines 42-28 – printer printing image per one image on paper wherein only one time stamp applies).

A person of ordinary skill in the art would have had good reason to pursue the known options of allowing a physical copy of an image representative of an event to be printed onto a

physical medium such as paper. It would require no more than "ordinary skill and common sense," to have selected portions of events distributed as images and printed onto a sheet.

Regarding Claim 56, Tsumagari et al. teaches the method of claim 15 but fails to explicitly teach wherein the presenting includes forming images on a printable medium. Koyama teaches wherein the step of presenting includes producing images on a printable medium (Col. 7, lines 42-28 – printer printing image per one image on paper).

A person of ordinary skill in the art would have had good reason to pursue the known options of allowing a physical copy of an image representative of an event to be printed onto a physical medium such as paper. It would require no more than "ordinary skill and common sense," to have selected portions of events distributed as images and printed onto a sheet.

Conclusion

1.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL CHOI whose telephone number is (571) 272-9594. The examiner can normally be reached on M-F (9am - 5:30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael Choi
Examiner
Art Unit 2621

/Marsha D. Banks-Harold/
Supervisory Patent Examiner, Art Unit 2621